Workplace Violence and Harassment: Understanding the Law

Health and Safety Guidelines

Ontario

Workplace Violence and Harassment: Understanding the Law

Occupational Health and Safety Branch
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About This Guide

This guide explains what every worker, supervisor, employer and constructor needs to know about workplace violence and workplace harassment requirements in the Occupational Health and Safety Act. It describes everyone's rights and responsibilities and answers, in plain language, the questions that are most commonly asked about these requirements.

Please note this guide is not a legal document. It should not be taken as a statement of the law or what constitutes compliance with the law. If you need help in determining what constitutes compliance, you should consult a lawyer.

This guide does not cover every situation or answer every question about the legal requirements for workplace violence and workplace harassment in Ontario. It also does not cover requirements for other workplace health and safety issues. You should consult *A Guide to the Occupational Health and Safety Act* for information about other requirements.

This guide does not cover other legal obligations that may exist such as those under Canada's Criminal Code or Ontario's Human Rights Code.

Ontario Ministry of Labour health and safety inspectors enforce the Occupational Health and Safety Act and may refer to this guide when determining compliance. They do not enforce this guide.

The workplace violence and workplace harassment requirements are effective June 15, 2010 and are enforceable as of that date.

Introduction

Ontario's Occupational Health and Safety Act* sets out the rights and duties for occupational health and safety of all parties in the workplace. The act provides for enforcement of the law in cases where compliance has not been voluntarily achieved.

The requirements for violence and harassment in the workplace establish minimum standards and set out the rights and duties of all those who have a role in dealing with workplace violence and workplace harassment.

Employers, supervisors and workers share the responsibility for occupational health and safety. This concept of an internal responsibility system is based on the principle that workplace parties themselves are in the best position to identify health and safety problems and develop solutions.

Ideally, the internal responsibility system involves everyone from the company chief executive officer to the worker. How well the internal responsibility system works depends on whether there is a complete, unbroken chain of responsibility and accountability for health and safety.

Every improvement in occupational health and safety benefits all of us. Through co-operation and commitment, we can make Ontario a safer and healthier place in which to work.

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* *The Occupational Health and Safety Act is amended from time to time. A current version is available at the following government internet website:*
http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90o01_e.htm

Background

Workers may face violence and harassment in any workplace and from any person in that workplace.

There is a continuum of unwanted behaviours that can occur in a workplace. This can range from offensive remarks to violence.

It is important for employers to address any unwanted behaviours early to minimize the potential for workplace harassment to lead to workplace violence.

The harassing or violent person may be someone the worker comes into contact with due to the nature of his or her work. This may include a client, customer or patient.

The harassing or violent person may also be part of the workforce, including a co-worker, manager, supervisor or employer. Or the person may be someone with no formal connection to the workplace such as a stranger or a domestic/intimate partner who brings violence or harassment into the workplace.

Canada's Criminal Code deals with matters such as violent acts, threats and behaviours such as stalking. The police should be contacted in these situations. Harassment may also be a matter that falls under Ontario's Human Rights Code.

1 Key Terms and Concepts

1.1 Workplace

The Occupational Health and Safety Act defines a workplace as any land, premises, location or thing at, upon, in or near which a worker works [Section 1].

A workplace could be a building, mine, construction site, vehicle, open field, road or forest.

The test is: Is the worker being directed and paid to be there or to be near there? If the answer is "yes", then it is a workplace.[1]

1.2 Workplace Violence

The Occupational Health and Safety Act defines workplace violence as the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker. It also includes an:

- attempt to exercise physical force against a worker in a workplace, that could cause physical injury to the worker; and a
- statement or behaviour that a worker could reasonably interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker [Section 1].

This definition of workplace violence is broad enough to include acts that would constitute offences under Canada's Criminal Code.

See Section 4.3 of this guide for more information on the role of police.

Examples of workplace violence include:

- verbally threatening to attack a worker;
- leaving threatening notes at or sending threatening e-mails to a workplace;

[1] *The term "workplace" may be interpreted differently under other Ontario statutes such as the Human Rights Code and Workplace Safety and Insurance Act, 1997.*

- shaking a fist in a worker's face;
- wielding a weapon at work;
- hitting or trying to hit a worker;
- throwing an object at a worker;
- sexual violence against a worker;
- kicking an object the worker is standing on such as a ladder; or
- trying to run down a worker using a vehicle or equipment such as a forklift.

What if a worker is accidentally pushed or hurt?

Accidental situations – such as a worker tripping over an object and pushing a co-worker as a result – are not meant to be included.

Does the person need to intend to hurt the worker?

For workplace violence to occur, a person must apply or attempt to apply physical force against a worker. However, he or she does not need to have the capacity to appreciate these actions could cause physical harm.

For example, a person may have a medical condition that causes them to act out physically in response to a stimulus in their environment. This would still be considered workplace violence.

In addition, workplace violence would include situations where two non-workers, patients for example, are fighting and a worker could be injured when he or she intervenes. The non-workers may not have intended their violence to spill over to anyone else, but they used physical force, which could ultimately cause physical injury to a worker.

Employers would be expected to take these situations into account when assessing the risks of workplace violence and when dealing with incidents. They would be required to establish measures and procedures to protect workers from this type of behaviour.

1.3 Domestic Violence

A person who has a personal relationship with a worker – such as a spouse or former spouse, current or former intimate partner or a family member – may physically harm, or

attempt or threaten to physically harm, that worker at work. In these situations, domestic violence is considered workplace violence.

1.4 Workplace Harassment

The Occupational Health and Safety Act defines workplace harassment as engaging in a course of vexatious comment or conduct against a worker, in a workplace – behaviour that is known or ought reasonably to be known to be unwelcome [Section 1].

The comments or conduct typically happen more than once. They could occur over a relatively short period of time (for example, during the course of one day) or over a longer period of time (weeks, months or years).

Workplace harassment can involve unwelcome words or actions that are known or should be known to be offensive, embarrassing, humiliating or demeaning to a worker or group of workers. It can also include behaviour that intimidates, isolates or even discriminates against the targeted individual(s).

Workplace harassment often involves repeated words or actions, or a pattern of behaviours, against a worker or group of workers in the workplace that are unwelcome.

This may include:

- making remarks, jokes or innuendos that demean, ridicule, intimidate, or offend;
- displaying or circulating offensive pictures or materials in print or electronic form;
- bullying;
- repeated offensive or intimidating phone calls or e-mails; or
- inappropriate sexual touching, advances, suggestions or requests.

This definition of workplace harassment is broad enough to include harassment prohibited under Ontario's Human Rights Code, as well as what is often called "psychological harassment" or "personal harassment."

See Section 4.4 of this guide for the list of prohibited grounds of harassment under the Human Rights Code.

What isn't workplace harassment?

Reasonable action or conduct by an employer, manager or supervisor that is part of his or her normal work function would not normally be considered workplace harassment. This is the case even if there are sometimes unpleasant consequences for a worker. Examples could include changes in work assignments, scheduling, job assessment and evaluation, workplace inspections, implementation of dress codes and disciplinary action.

Differences of opinion or minor disagreements between co-workers would also not generally be considered workplace harassment.

In addition, any behaviour that would meet the definition of workplace violence would not be considered to be workplace harassment.

1.5 Continuum of Inappropriate Behaviours

A continuum of inappropriate behaviours can occur at the workplace. This can range from offensive remarks to violence. Workplace harassment may escalate over time into threats, or acts, of physical violence. In some cases, a targeted worker may react violently to prolonged harassment in the workplace.

It is important for employers to recognize these behaviours and to deal with them promptly because they could lead to workplace violence.

2 Workplace Violence

2.1 General Duties of Workplace Parties

The Occupational Health and Safety Act sets out the general duties for an

- employer under Section 25;
- supervisor under Section 27; and
- worker under Section 28.

These general duties also apply to workplace violence [Section 32.0.5].

See *A Guide to the Occupational Health and Safety Act* for more information about these duties as well as the duties of other workplace parties such as constructors, licensees and owners.

Employers must:

- take every precaution reasonable in the circumstances to protect workers. This includes protecting workers from the hazard of workplace violence [Section 25(2)(h)];
- provide information, instruction and supervision to a worker to protect the health and safety of the worker [Section 25(2)(a)];
- ensure equipment, materials and protective devices provided by them are maintained in good condition [Section 25(1)(b)];
- provide assistance and co-operation to a joint health and safety committee or health and safety representative [Section 25(2)(e)]; and
- prepare and review, at least annually, a written occupational health and safety policy, and develop and maintain a program to implement that policy. This applies to workplaces where five or more workers are regularly employed [Section 25(2)(j)].

Supervisors must:

- ensure a worker works in the manner and with the protective devices, measures and procedures required by the Occupational Health and Safety Act and its regulations [Section 27(1)(a)];

- ensure a worker uses or wears the equipment, protective devices or clothing that the employer requires to be used or worn [Section 27(1)(b)];
- advise a worker of the existence of any actual or potential danger to the health or safety of the worker of which the supervisor is aware [Section 27(2)(a)]; and
- take every precaution reasonable in the circumstances to protect workers [Section 27(2)(c)].

Workers must:

- work in compliance with the Occupational Health and Safety Act and its regulations [Section 28(1)(a)];
- use or wear equipment, protective devices or clothing required by the employer [Section 28(1)(b)];
- report the absence of, or defect in, any equipment or protective device of which the worker is aware [Section 28(1)(c)];
- report any contravention of the Occupational Health and Safety Act or its regulations, or the existence of any hazard the worker knows of to the employer or supervisor [Section 28(1)(d)]; and
- not engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct [Section 28(2)(c)]. While this type of behaviour may not constitute workplace violence, it must not be allowed. If allowed to continue, this behaviour may escalate into workplace violence.

2.2 Workplace Violence Policy

Every employer in Ontario must prepare and review, at least annually, a policy on workplace violence, as required by the Occupational Health and Safety Act [Section 32.0.1(1)(a) and (c)].

This policy is required regardless of the size of the workplace or the number of workers.

If six or more workers are regularly employed at a workplace, this policy must be in writing and posted in a conspicuous place in the workplace.

If fewer than six workers are regularly employed at the workplace, the policy does not necessarily have to be written [Sections 32.0.1(2) and (3)]. However, a Ministry of Labour inspector may order the policy to be in writing [Section 55.1].

Employers may choose to prepare a separate workplace violence policy or they may choose to combine it with another policy required by the Occupational Health and Safety Act such as the workplace harassment policy [Section 32.0.1(1)(b)] or occupational health and safety policy [Section 25(2)(j)].

The workplace violence policy should:

- show an employer's commitment to protecting workers from workplace violence;
- address violence from all possible sources (customers, clients, employers, supervisors, workers, strangers and domestic/intimate partners);
- outline the roles and responsibilities of the workplace parties in supporting the policy and program; and
- be dated and signed by the highest level of management at the workplace.

See Appendix A for an example to help you develop your workplace violence policy.

Can the workplace violence policy and program be combined?

Yes, as long as all of the requirements for the policy and program are complied with. Although the Occupational Health and Safety Act does not require the program to be in writing, an employer may choose to combine the workplace violence policy and program.

2.3 Assessing the Risks of Workplace Violence

Under the Occupational Health and Safety Act, the employer has a number of responsibilities for assessing the risks of workplace violence.

The employer must:

- assess the risk of workplace violence that may arise from the nature of the workplace, type of work or conditions of work [Section 32.0.3(1)].
- take into account the circumstances of the workplace and circumstances common to similar workplaces, as well as any other elements prescribed in regulation [Section 32.0.3(2)]; and,
- develop measures and procedures to control identified risks that are likely to expose a worker to physical injury. These measures and procedures must be part of the workplace violence program [Section 32.0.2(2)(a)].

The employer must advise the joint health and safety committee or health and safety representative of the assessment results. If the assessment is in writing, the employer must provide a copy to the committee or the representative [Section 32.0.3(3)(a)].

If there is no committee or representative, the employer must advise workers of the assessment results. If the assessment is in writing, the employer must provide copies to workers on request or advise the workers how to obtain copies [Section 32.0.3(3)(b)].

Employers must repeat the assessment as often as necessary to ensure the workplace violence policy and related program continue to protect workers from workplace violence [Section 32.0.3(4)] and inform the joint health and safety committee, health and safety representative, or workers of the results of the re-assessment [Section 32.0.3(5)].

What is meant by the phrase "the nature of the workplace," the "type of work" or the "conditions of work"?

The ***nature of the workplace*** refers to the physical aspects of the workplace, whether it is a building, construction site, vehicle, or forest. This may include workplace lighting, lines of sight, depth of counters, entrances, exits and objects that could be used to hurt workers.

The ***type of work*** refers to the activities workers perform (such as handling cash), the sector of work (such as health care) and people with whom workers interact (such as customers, clients or patients).

The ***conditions of work*** refers to other aspects such as hours worked, the surrounding neighbourhood and whether workers move from location to location, work alone or in isolation.

What is meant by the phrase "circumstances specific to the workplace"?

Circumstances specific to the workplace could include:

- layout and design of the workplace;
- geographic location of the workplace;
- work carried out and conditions of work, including activities or circumstances associated with a higher risk of violence (see list below);
- protective measures and procedures, including security measures, that may already be in place; and
- past violent incidents in the workplace.

A number of activities or circumstances may increase the risk of workplace violence. These include:

- handling cash;
- protecting or securing valuables;
- transporting people and goods;
- a mobile workplace (such as a vehicle);
- public or community contact;
- working with unstable or volatile people;
- working alone or with just a few people; and
- working late nights or very early mornings.

How does the employer take into account "circumstances that would be common to similar workplaces"?

A specific workplace may not have experienced a violent incident, but may share risks of workplace violence with similar workplaces.

The risk of violence may be higher in certain sectors such as health care, social services, retail, hospitality, education, transportation, police, security and correctional facilities.

Similar workplaces may also have activities or work conditions in common.

See above for a list of circumstances or activities that may increase the risk of workplace violence.

Can one assessment be done for multiple workplaces?

An assessment of the risks of workplace violence should be specific to the workplace.

A similar type of work may be performed in multiple locations. However, the assessment must take into account the nature of the workplace and conditions of work. Each location should be assessed for its own unique risks of workplace violence in addition to the common risks.

For example, a company may operate many retail stores, all providing the same services. However, each store would have a unique location, surroundings and clientele, etc. In addition, the stores may have different interior physical layouts, equipment or hours of operation.

So, even though the risks of workplace violence for the services provided may be similar, each store may have different risks specific to its particular location.

How can an assessment be done if workers are constantly changing locations (e.g. mobile workers)?

An assessment may not be able to take into account the specific risks related to the nature of every workplace that a mobile worker may visit.

However, the assessment should take into account risks associated with the worker's vehicle. It should also consider risks associated with the type of work and work conditions. For example, a salesperson carrying valuable stock could be at risk for robbery.

The workplace violence program must have measures and procedures in place to control the risks faced by mobile workers.

Is the employer required to assess the risks of violence between individual workers?

The Occupational Health and Safety Act does not require an employer to proactively assess the risks of violence between individual workers. It could be difficult for the employer to predict when violence may occur between individual workers

However, a review of incidents or threats of violence from all sources may indicate the origins of workplace violence and likelihood of violence between workers at a particular workplace.

How often should reassessment take place?

The risks of workplace violence should be re-assessed as often as is necessary to protect workers from workplace violence. For example, a reassessment should be undertaken if:

- the workplace moves or the existing workplace is renovated or reconfigured;
- there are significant changes in the type of work (for example, more expensive items are being sold);
- there are significant changes in the conditions of work (for example, closing at a later hour);
- there is new information on the risks of workplace violence; or,
- a violent incident indicates a risk related to the nature of the workplace, type of work, or conditions of work was not identified during an earlier assessment.

It is recommended the employer review the assessment at least annually.

2.4 Workplace Violence Program

In addition to preparing a workplace violence policy and assessing the risks of workplace violence, under the Occupational Health and Safety Act every employer must develop and maintain a program to implement the workplace violence policy [Section 32.0.2].

The program must include:

a) measures and procedures to control the risks identified in the assessment required under subsection 32.0.3(1) as likely to expose a worker to physical injury;

b) measures and procedures for summoning immediate assistance when workplace violence occurs or is likely to occur;

c) measures and procedures for workers to report incidents of workplace violence to the employer or supervisor;

d) how the employer will investigate and deal with incidents or complaints of workplace violence; and

e) any other elements prescribed in regulation.

The workplace violence program may incorporate or reference existing programs, procedures or protocols related to workplace violence. For example, there could be existing procedures for emergency situations, incident reporting or personal safety.

See Appendix B for more information on the types of measures and procedures that could be part of a workplace violence program.

Can a workplace adopt a program that exists at another workplace?

The measures and procedures in a workplace violence program must address the risks and conditions specific to that workplace.

While a program from a similar workplace may be used as the basis for a new program, it would need to be tailored to fit the workplace where it would be used and based on the results of the assessment for that specific workplace.

For example, a chain of retail outlets could develop a general workplace violence program with measures to control the risks common to all of the stores. The general program could also include standard emergency, reporting, and investigation measures and procedures. However, each location would need to modify the general program

based on site-specific risks and conditions to ensure there are appropriate measures and procedures to protect workers.

We have done an assessment and have not identified any risks that are likely to expose a worker to physical injury. Do we still need a workplace violence program?

Yes. While no specific measures or procedures may be needed to control risks, a workplace violence program would still be required because it would need to provide measures and procedures for:

- summoning immediate assistance;
- reporting incidents or complaints of workplace violence; and
- investigating and dealing with workplace violence incidents and complaints, if they occur.

If new risks are identified after the initial assessment, the employer would need to modify the workplace violence program to include appropriate measures and procedures.

How often should the workplace violence program be reviewed and revised?

Under the Occupational Health and Safety Act the employer must maintain the workplace violence program [Section 32.0.2(1)].

It is recommended the program be reviewed at least annually. This review should focus on the effectiveness of the measures and procedures in the program. This is to ensure they are being used and are continuing to protect workers from workplace violence.

A review or revision of a workplace violence program should be undertaken if:

- a reassessment of risks indicates revisions are needed;
- workers, or the joint health and safety committee or health and safety representative, indicate measures or procedures are not adequate or are not used;
- a violent incident shows that measures or procedures are not adequate; and/or
- the workplace's response to a violent incident or complaint shows the reporting or investigation procedures need to be revised.

2.5 Information and Instruction on Workplace Violence

Workplace Violence Policy and Program

Under the Occupational Health and Safety Act, an employer must provide appropriate information and instruction to workers on the contents of the workplace violence policy and program [Section 32.0.5(2)].

All workers should be aware of the employer's workplace violence policy and program. Workers should:

- know how to summon immediate assistance;
- know how to report incidents of workplace violence to the employer or supervisor;
- know how the employer will investigate and deal with incidents, threats or complaints;
- know, understand and be able to carry out the measures and procedures that are in place to protect them from workplace violence; and
- be able to carry out any other procedures that are part of the program.

Supervisors may need additional information or instruction, especially if they are going to follow up on reported incidents or complaints of workplace violence.

Other Related Information and Instruction Duties

Under the Occupational Health and Safety Act, an employer has a general duty to provide information, instruction and supervision to protect a worker [Section 25(2)(a)].

A supervisor has a duty to advise workers of any actual or potential occupational health and safety dangers of which the supervisor is aware [Section 27(2)(a)].

To protect workers, the employer must tailor the type and amount of information and instruction to the specific job and the associated risks of workplace violence.

Workers in jobs with a higher risk of violence may require more frequent or intensive instruction or specialized training.

When and how often should instruction take place?

An employer should identify what information, instruction or training is needed when a worker is hired. This should be done by taking into account hazards associated with each specific job as well as the measures and procedures that are in place.

Similarly, the employer should identify what information, instruction or training is needed when a worker changes jobs.

Workplace violence can be covered along with other occupational health and safety topics, including workplace harassment, or it can be covered separately.

Employers should also identify how often instruction or training should be repeated. This may be done:

- on a regular basis;
- when there are significant changes to the risks encountered;
- when there are significant changes to the workplace violence policy or program; and/or
- when circumstances indicate additional instruction or training is needed such as when procedures are not being followed or workers do not know about them.

2.6 Information about a Person with a History of Violent Behaviour

The Occupational Health and Safety Act clarifies that employers and supervisors must provide workers with information, including personal information, related to a risk of workplace violence from a person with a history of violent behaviour [Section 32.0.5(3)].

However, this duty is limited and applies only when the:

(a) worker can be expected to encounter the violent person in the course of his or her work; and the

(b) risk of workplace violence is likely to expose the worker to physical injury.

Employers and supervisors must also not disclose more information than is reasonably necessary for the protection of a worker from physical injury.

What factors should I consider in determining what is "likely to expose a worker to physical injury"?

Employers would have to evaluate the circumstances of a person's history of violent behaviour and determine which workers would be likely to encounter this person in the course of their work and whether the person poses a risk to those workers.

Some factors to consider include:

- Was the history of violence associated with the workplace or work?
- Was the history of violence directed at a particular worker or workers in general?
- How long ago did the incident(s) of violence occur?
- What measures and procedures are in place in the existing workplace violence program?

Do I have to tell every worker about a person with a history of violent behaviour?

Not necessarily. An employer would first have to determine which workers, if any, would be likely during the course of their work to encounter the violent person and if the risk of workplace violence was likely to expose the worker to physical injury [Section 32.0.5(3)].

Depending on the results, the employer would not have to provide a worker with specific information about the violent person if the worker was:

- not likely to encounter that person in his or her work; or
- not at risk of physical injury from that person.

What information do I have to disclose to workers?

Under the Occupational Health and Safety Act, employers and supervisors must disclose as much information about a person with a history of violent behaviour as needed to protect workers from physical injury while respecting privacy as much as possible [Sections 32.0.5(3) and (4)].

For example, the information disclosed should allow workers to identify the person with the violent history and, if appropriate, the triggers of his/her potential aggression.

Only personal information that is necessary to protect the worker from physical injury should be disclosed.

For example, a waitress or construction worker should be told if there is person with a history of hitting workers at that workplace and what the triggers are for that person's violent behaviour. However, the worker would not necessarily need to know all the personal information the employer has about the person with the violent history.

In workplaces where the risk of workplace violence is similar from many people, such as in correctional institutions, it may be appropriate to provide general information about these risks as part of the information and instruction given to workers under Section 25(2)(a).

However, in these types of workplaces, workers may require information about a specific individual's history of violent behaviour so workers are aware of the specific risks [Section 32.0.5(3)].

What about privacy legislation?

There may be other laws that govern the release of personal or medical information such as the:

- Youth Criminal Justice Act (Canada);
- Personal Information Protection and Electronic Documents Act (Canada); and
- Personal Health Information Protection Act.

The employer will have to take into account a person's right to privacy under those laws in addition to a worker's right to be informed of workplace violence risks under the Occupational Health and Safety Act.

In such cases, employers may wish to seek legal advice.

Do I have to disclose personal medical information?

In most situations, it should be possible to provide workers with enough information to protect them without disclosing personal medical information.

In cases where an employer or supervisor feels personal medical information should be disclosed to a worker, the employer may wish to obtain legal advice about possible implications under human rights or privacy legislation.

Am I required to conduct criminal background checks on people in the workplace?

The Occupational Health and Safety Act does not require employers or supervisors to do criminal background checks or to otherwise seek out information on workers or other people who are likely to be in the workplace.

2.7 Domestic Violence

Under the Occupational Health and Safety Act, an employer must take every precaution reasonable in the circumstances for the protection of workers when they are aware, or ought reasonably to be aware, that domestic violence may occur in the workplace, and that it would likely expose a worker to physical injury [Section 32.0.4].

Domestic violence may put the targeted worker at risk, and may also pose a threat to co-workers.

Measures and procedures in the workplace violence program can help protect workers from domestic violence in the workplace. For example, measures for the summoning of immediate assistance or for reporting of violent incidents could help protect workers from domestic violence when it may occur in the workplace.

Workers should be told that they can report their concerns to their employer if they fear domestic violence may enter the workplace.

Employers must be prepared to investigate and deal with these concerns on a case-by-case basis.

In addition to evaluating a worker's specific circumstances, employers should determine how measures and procedures in the existing workplace violence program could be used to support the development of reasonable precautions for the worker.

This could involve creating an individual safety plan for the worker while he or she is in the workplace. The safety plan should be developed in consultation with the targeted worker.

In developing the plan, the employer and worker may be able to work with the police, courts, or other organizations who may already be involved.

When a worker and his or her spouse work at the same organization, and there are concerns about domestic violence occurring in the workplace, the employer should

follow the workplace violence policy and program in dealing with the abusive worker's behaviour.

How might an employer become aware of domestic violence that may enter the workplace?

An employer may become aware of domestic violence when an incident takes place at the workplace or when a concern is reported by a targeted worker, co-workers or someone else.

Other indicators could include threatening emails and phone calls received at work or unwelcome visits at the workplace such as by an abusive partner.

What is the employer's obligation if the targeted worker does not want the employer to take any steps?

Even if a worker does not want any steps taken, the employer may still be required to take some action to protect the targeted worker and other workers, depending on the circumstances.

The employer should work closely with the targeted worker to develop reasonable precautions to address the situation while attempting to respect the worker's privacy and sensitivity of the issue.

Does an employer have to assess the risk that domestic violence will occur in the workplace?

The Occupational Health and Safety Act does not require an employer to assess the risk of domestic violence occurring in a workplace.

However, an employer may wish to conduct a review of violent incidents or threats of violence from all sources. This may help the employer determine origins of workplace violence and the likelihood violence will occur at a particular workplace.

2.8 Work Refusals

Under the Occupational Health and Safety Act, a worker can refuse to work if he or she has reason to believe he or she may be endangered by workplace violence [Section 43(3)(b.1)]. However, work cannot be refused on the grounds of workplace harassment.

The act sets out a specific procedure that must be followed in a work refusal. It is important for workers, employers, supervisors, joint health and safety committees and health and safety representatives to understand and follow this procedure.

As discussed in Section 2.4 of this guide, the workplace violence program must include measures and procedures for workers to report workplace violence incidents and for employers to investigate and deal with those incidents or complaints.

These measures can help workers, supervisors and employers address workplace violence concerns before they escalate to work refusals.

Do all workers have the right to refuse work due to workplace violence?

Yes, but for some workers the right to refuse work for any reason, including for workplace violence, is limited.

Certain workers who protect public safety cannot refuse work if:

- the danger is an inherent or normal part of their job or
- the refusal would endanger the life, health or safety of another person.

These workers are:

- police officers;
- firefighters;
- workers employed in correctional institutions; and,
- workers employed in workplaces such as hospitals, nursing homes, psychiatric institutions, rehabilitation facilities, residential group homes for persons with physical or mental disabilities, ambulance services, first-aid clinics, licensed laboratories or in any laundry, food service, power plant or technical service used by one of the above [Section 43(2)].

In addition, teachers cannot refuse work when a pupil's life, health or safety is in imminent jeopardy [Section 3(3) of Regulation 857 (Teachers)].

See *A Guide to the Occupational Health and Safety Act* for more information on work refusals.

Where must workers stay during a work refusal?

A worker must remain in a safe place as near as reasonably possible to his or her workstation while waiting for the employer to investigate [Section 43(5)] or for the Ministry of Labour to investigate [Section 43(10)].

The location will depend on the circumstances that led to the work refusal.

Employers may wish to develop workplace-specific procedures for work refusals related to workplace violence, including where a safe place would be. These workplace-specific procedures must be consistent with the work refusal provisions in the Occupational Health and Safety Act.

Can a worker refuse work on the basis of a threat?

Yes, if it is (or can be reasonably interpreted to be) a threat to exercise force that could cause physical injury to the worker. Where a worker receives a threat that does not cause him/her to fear for his/her personal safety, the worker should use the procedures in the workplace violence or harassment program to report the incident to his or her employer.

Does all work need to be suspended during an investigation if there is a work refusal due to workplace violence?

Although Section 43 allows workers to refuse to work or do particular work if their health and safety is in danger due to workplace violence, this does not mean all work needs to be suspended during a work refusal.

For example, if the risk of workplace violence is eliminated by the removal of a violent person, it may be possible for work to continue during the employer's investigation.

Can the measures and procedures that an employer has in place affect a worker's right to refuse due to workplace violence?

A worker who has reason to believe that he or she is likely endangered by workplace violence always has the right to refuse work (subject to limitations on the right to refuse work for specific categories of workers).

An employer with a good workplace violence policy and program, supported by equipment, training and effective communication, should have established methods for immediately dealing with violent and potentially violent incidents. For example, an

employer may direct workers to call the police for assistance when they have immediate safety concerns due to workplace violence.

Having these internal procedures in place may be the best way to prevent further danger and to protect workers and members of the public (in sectors such as the transit industry, for example). This does not limit a worker's right to refuse work. However, because the danger to workers is dealt with quickly, a worker may not need to refuse work in these circumstances.

Whether there is a work refusal or not, workers should report an incident of workplace violence to their employer or supervisor. The employer needs to investigate and take any steps necessary to protect workers. A worker may also contact the Ministry of Labour with a complaint if their concerns are not resolved at the workplace.

2.9 Notices

When an incident of workplace violence occurs, the employer should first notify police or emergency responders for immediate assistance. In addition, under the Occupational Health and Safety Act, an employer has a number of duties if a workplace violence incident results in a person being killed or critically injured[2] [Section 51(1)].

An employer must:

- immediately notify, by direct means such as telephone, a Ministry of Labour inspector, the workplace's joint health and safety committee or health and safety representative and union, if any; and
- within 48 hours notify, in writing, a director of the Ministry of Labour, giving the circumstances of the occurrence and any information that may be prescribed[3].

If there is an incident of workplace violence and a worker is disabled or requires medical attention, the employer[4] must notify the joint health and safety committee or health and safety representative and the union, if any, within four days of the incident.

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[2] *Critically injured is defined in Regulation 834 of the Occupational Health and Safety Act.*

[3] *Regulations under the Occupational Health and Safety Act prescribe the specific information that must be provided*

[4] *Self-employed people are required to notify a director of the Ministry of Labour, in writing, if they sustain an occupational injury or illness.*

This notice must be in writing and must contain any prescribed information [Section 52(1)]. If required by an inspector, this notice must also be given to a director of the Ministry of Labour.

Notices are not required for incidents of harassment.

See Sections 2.4 and 3.2 of this guide for more information on internal reporting mechanisms for workplace violence and harassment programs.

3 Workplace Harassment

Workplace harassment may escalate to threats or acts of physical violence or a targeted worker may react violently to prolonged harassment in the workplace. It is important for employers to recognize these behaviours and to deal with them promptly because they could lead to workplace violence.

The requirement for all workplaces to have a workplace harassment policy and program will help workplace parties recognize and deal with workplace harassment before it escalates into possible workplace violence.

3.1 Workplace Harassment Policy

Employers must prepare and review a policy on workplace harassment at least annually, as required by the Occupational Health and Safety Act [Section 32.0.1(b) and (c)].

The policy is required regardless of the size of the workplace or the number of workers.

If six or more workers are regularly employed at the workplace, the policy must be in writing and it must be posted in a conspicuous place in the workplace.

If less than six workers are regularly employed in the workplace, the policy does not necessarily have to be written [Sections 32.0.1(2) and (3)]. However, a Ministry of Labour inspector may order the policy to be in writing [Section 55.1].

Employers may choose to prepare a separate policy regarding workplace harassment or they may combine it with a workplace violence policy [Section 32.0.1(1)(a)] or occupational health and safety policy [Section 25(2)(j)].

Employers may also deal with workplace harassment by including it in an existing anti-harassment or anti-discrimination policy based on the criteria for harassment in Ontario's Human Rights Code. However, if an employer has an existing anti-harassment or anti-discrimination policy, the policy would need to be modified in order to meet the requirements of the Occupational Health and Safety Act. This is because the act's definition of "workplace harassment" goes beyond the prohibited grounds in the code.
See Section 4.4 of this guide for a list of the prohibited grounds in the code.

The workplace harassment policy should:

- show an employer's commitment to addressing workplace harassment;
- consider workplace harassment from all sources such as customers, clients, employers, supervisors, workers, strangers and domestic/intimate partners;
- outline the roles and responsibilities of the workplace parties in supporting the policy and program; and
- be dated and signed by the highest level of management at the workplace.

See Appendix C for an example to help you develop your workplace harassment policy.

Can the workplace harassment policy and program be combined?

Yes, the policy and program can be combined as long as all of the requirements of the policy and program are complied with. Although the Occupational Health and Safety Act does not require the program to be in writing, an employer may choose to combine the workplace harassment policy and program.

3.2 Workplace Harassment Program

Under the Occupational Health and Safety Act, an employer must develop and maintain a program to implement the workplace harassment policy [Section 32.0.6(1)].

The program must include:

(a) measures and procedures for workers to report incidents of workplace harassment to the employer or supervisor [Section 32.0.6(2)(a)];

(b) how the employer will investigate and deal with incidents and complaints of workplace harassment [Section 32.0.6(2)(b)]; and

(c) any prescribed elements that may be included in regulations made under the act [Section 32.0.6.(2)(c)].

See Appendix D for an example to help you develop your workplace harassment program.

Does an employer have to assess the risk that harassment may occur in the workplace?

The Occupational Health and Safety Act does not require an employer to assess the risk of workplace harassment.

3.3 Information and Instruction on Workplace Harassment

An employer must provide appropriate information and instruction to workers on the contents of the workplace harassment policy and program, as required by the Occupational Health and Safety Act [Section 32.0.7].

All workers should be aware of the employer's policy on workplace harassment. Workers should:

- know how to report incidents of workplace harassment to the employer or supervisor; and
- know how the employer will investigate and deal with incidents or complaints of workplace harassment.

Workers may need other information and instruction on workplace harassment, depending on their jobs.

Some workers may need to be trained to recognize and respond to harassment or trained in specialized techniques to deal with harassment.

Supervisors may need additional information or instruction, especially if they are going to follow up on reported incidents or complaints of workplace harassment.

Employers, supervisors and unions also need to be aware of their responsibilities to prevent and address harassment prohibited under Ontario's Human Rights Code.

See Section 4.4 - Ontario Human Rights System for more information.

4 Roles and Responsibilities

4.1 Joint Health and Safety Committees / Health and Safety Representatives

Joint health and safety committees and health and safety representatives have the same powers and responsibilities for workplace violence hazards as they do for other occupational health and safety hazards under the Occupational Health and Safety Act. For example, their role during a work refusal [Section 43] is the same for workplace violence as it is for any other workplace hazard.

These committees and health and safety representatives should also be able to recognize risks of workplace violence in the course of carrying out their regular functions such as inspecting workplaces.

An employer may wish to consult with his or her workplace's joint health and safety committee or health and safety representative when developing workplace violence and workplace harassment policies and programs.[5]

Employers must advise the joint health and safety committee or health and safety representative of the results of an assessment of workplace violence risks [Section 32.0.3(3)(a)] or the results of a reassessment [section 32.0.3(5)]. For more information, see Section 2.3 - Assessing the Risks of Workplace Violence.

Employers must also inform the committee or health and safety representative if a person is killed, critically injured, disabled from performing their usual work, or requires medical attention due to workplace violence [sections 51(1) and 52(1)]. For more information, see Section 2.9 - Notices.

For more information, see *A Guide for Joint Health and Safety Committees and Representatives in the Workplace*.

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[5] *For those workplaces that fall under the Health Care and Residential Facilities Regulation (O. Reg. 67/93) there are specific requirements for consulting with the joint health and safety committee or health and safety representative on certain matters. For more information see sections 8 and 9 of the regulation.*

4.2 Ministry of Labour

The Ministry of Labour carries out workplace inspections to:

- ensure compliance with the Occupational Health and Safety Act and its regulations; and to
- ensure the workplace's internal responsibility system is working.

Ministry of Labour health and safety inspectors may check to ensure employers, supervisors and workers are complying with workplace violence and workplace harassment requirements. They may do this as part of a general inspection of a workplace or when investigating a specific complaint or incident.

Inspectors may issue written orders to comply with the act when contraventions are found [Section 57].

The ministry may also prosecute an employer, supervisor or worker if a contravention is found or if they have failed to comply with an order of an inspector, a director or the minister [Section 66(1)].

See *A Guide to the Occupational Health and Safety Act* for more information on the role of ministry inspectors.

Police may also investigate violent incidents and complaints. See Section 4.3 of this guide for more information about the role of the police.

It is not the role of ministry inspectors to resolve or mediate specific allegations of harassment in the workplace.

Employers are responsible for investigating and dealing with incidents and complaints of workplace harassment. They are also responsible for making decisions on what steps, if any, should be taken as a result.

A worker may also seek resolution of a workplace harassment incident or complaint outside of the employer's internal investigation procedure. In particular, a worker may do this if he or she believes the employer did not properly deal with the matter.

For example, a worker may:

- contact the Human Rights Tribunal of Ontario to file an application to have their matter heard if the alleged harassment is based on one of the grounds prohibited under the Ontario Human Rights Code; or

- seek to resolve harassment issues through the grievance arbitration process if they are represented by a union; or
- seek to resolve harassment issues through civil litigation, depending on the circumstances.

4.3 Police

Canada's Criminal Code deals with matters such as violent acts, threats and behaviours such as stalking. The police should be contacted immediately when an act of violence has occurred in the workplace or when someone in the workplace is threatened with violence.

4.4 Ontario Human Rights System

Ontario's Human Rights Code is a provincial law that gives everyone equal rights and opportunities without discrimination or harassment in specific areas such as employment, housing and services.

The code's goal is to prevent discrimination and harassment based on the following 15 grounds:

- race
- ancestry
- place of origin
- colour
- ethnic origin
- citizenship
- creed (religion)
- sex (including pregnancy and gender identity)
- sexual orientation
- disability
- age (18 and over, 16 and over in occupancy of accommodation)
- marital status (including same sex partners)
- family status

- receipt of public assistance (in accommodation only) and
- record of offences (in employment only).

"Disability" covers a broad range and degree of conditions, some visible and others not. A disability may be present from birth, caused by an accident or developed over time. It may include physical, mental and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities, as well as other conditions.

Under the Human Rights Code, protection from discrimination or harassment includes past, present and perceived conditions involving disabilities.

For example, a person who experiences discrimination because he or she was an alcoholic in the past is protected. Similarly, a person whose condition does not limit his or her workplace abilities at present, but who may be at greater risk of having limitations in the future is also protected.

When dealing with workplace violence and harassment, employers should be aware of their responsibilities for people with disabilities under the Human Rights Code.

Under the code, employers have an obligation to keep the workplace free of discrimination and harassment related to one or more of the code's prohibited grounds.

Employers, supervisors and workers may be held liable under Ontario's human rights system if harassment occurs in the workplace or at work-related functions. They may also be liable for failing to take proper steps to address and prevent that harassment.

Ontario's human rights system consists of three separate and independent parts. They are the:

- **Human Rights Tribunal of Ontario** which decides if someone's human rights have been violated. If a person thinks his or her rights under the code have been violated, he or she can file an application directly with the tribunal and it will decide the best way to deal with the situation.
- **Human Rights Legal Support Centre** which helps people who file applications with the tribunal. Services may include advice, support and legal representation.
- **Ontario Human Rights Commission,** which provides leadership for the promotion, protection and advancement of human rights, and builds partnerships across the human rights system. This includes developing policies and providing targeted public education, monitoring human rights, doing research and analysis, and conducting human rights inquiries. In matters affecting the broad public

interest, it may take its own cases to the tribunal or intervene in human rights cases before the tribunal.

An employer who wishes to learn more about his or her obligations under the code should visit the websites of the Commission or the Tribunal.

A worker who believes that a matter involving prohibited grounds was not properly addressed by his or her workplace should contact the Human Rights Legal Support Centre for help, or the Tribunal directly to file an application to have the matter heard.

4.5 Health and Safety Associations

Ontario's health and safety associations provide training programs, products and services to employers and workers.

The associations, which include industry-based safe workplace associations, the Workers Health and Safety Centre and Occupational Health Clinics for Ontario Workers, are funded by Ontario's Workplace Safety and Insurance Board.

Employers and workers can contact the appropriate association for information, resources and assistance to help them comply with workplace violence and workplace harassment requirements under the Occupational Health and Safety Act.

A complete listing of the health and safety associations is available at: www.wsib.on.ca/wsib/wsibsite.nsf/public/HealthSafetyCommunity .

Appendix A: Example of Workplace Violence Policy

The management of _____(insert company name) is committed to the prevention of workplace violence and is ultimately responsible for worker health and safety. We will take whatever steps are reasonable to protect our workers from workplace violence from all sources. (The workplace may wish to insert the definition of workplace violence and to list the sources of workplace violence)

Violent behaviour in the workplace is unacceptable from anyone. This policy applies to (the workplace may wish to list who this policy applies to, especially if it applies to people other than workers such as visitors, clients, delivery persons and volunteers, etc.). Everyone is expected to uphold this policy and to work together to prevent workplace violence.

There is a workplace violence program that implements this policy. It includes measures and procedures to protect workers from workplace violence, a means of summoning immediate assistance and a process for workers to report incidents, or raise concerns. (The workplace may wish to specify and expand upon the components of the workplace violence program here.)

_____, (insert company name) as the employer, will ensure this policy and the supporting program are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from violence in the workplace.

Supervisors will adhere to this policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information they need to protect themselves.

Every worker must work in compliance with this policy and the supporting program. All workers are encouraged to raise any concerns about workplace violence and to report any violent incidents or threats. (The workplace may wish to provide more information about how to report incidents, and may wish to emphasize there will be no negative consequences for reports made in good faith.)

Management pledges to investigate and deal with all incidents and complaints of workplace violence in a fair and timely manner, respecting the privacy of all concerned as much as possible. (The workplace may wish to provide more information about how incidents and complaints will be investigated and/or dealt with.)

Signed: _____ President/CEO Date: _____

The workplace harassment policy should be consulted whenever there are concerns about harassment in the workplace.

Appendix B: Workplace Violence Program

The following are some examples of measures and procedures employers may wish to consider when developing a workplace violence program [Section 32.0.2 of the Occupational Health and Safety Act].

Measures and procedures to **control the risks of workplace violence** identified in the risks assessment may include:

- safe work procedures;
- personal protective equipment;
- design or physical layout of the workplace such as doors with clear windows, adequate lighting, location and structure of counters, barriers, etc.;
- designated safe locations for emergency situations;
- procedures for informing or advising workers of potentially violent situations or people;
- worker training on the workplace violence policy and program and dealing with aggressive or violent clients.

Measures and procedures for **summoning immediate assistance** may include:

- equipment to summon assistance such as fixed or personal alarms, locator or tracking systems, phones, cell phones, etc.;
- emergency telephone numbers and/or e-mail addresses;
- emergency procedures.

Measures and procedures for workers to **report incidents of workplace violence** to the employer or supervisor may include information about:

- how, when and to whom a worker should report incidents or threats;
- forms or other reporting mechanisms;
- roles and responsibilities of employers, supervisors, workers, Joint Health and Safety Committees, health and safety representatives and others in the incident reporting process;
- when the incident requires external reporting (i.e. to the police, Workplace Safety Insurance Board, Ministry of Labour, etc.).

Measures and procedures for how the employer will **investigate and deal with incidents or complaints** of workplace violence may include information about:

- how and when investigations will be conducted;
- what will be included in the investigation;
- roles and responsibilities of employers, supervisors, workers, Joint Health and Safety Committees, health and safety representatives and others;
- follow-up to the investigation (description of actions and timeframe);
- recordkeeping requirements.

An employer may wish to have a more extensive workplace violence program, which could include workplace violence awareness training, an Employee Assistance Program (EAP) or post-traumatic incident response procedures.

Appendix C: Example of Workplace Harassment Policy

The management of _____(insert company name) is committed to providing a work environment in which all individuals are treated with respect and dignity.

Workplace harassment will not be tolerated from any person in the workplace (The workplace may wish to list the sources of workplace harassment). Everyone in the workplace must be dedicated to preventing workplace harassment. Managers, supervisors, and workers are expected to uphold this policy, and will be held accountable by the employer (If the policy applies to other people in the workplace, they should also be listed).

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace -- a comment or conduct that is known or ought reasonably to be known to be unwelcome (The workplace may wish to list examples of unacceptable behaviour).

Harassment may also relate to a form of discrimination as set out in the Ontario Human Rights Code, but it does not have to (The workplace may wish to include information about what constitutes discriminatory harassment under Ontario's Human Rights Code).

This policy is not intended to limit or constrain the reasonable exercise of management functions in the workplace (The workplace may wish to include examples of work functions that would generally not be considered workplace harassment).

Workers are encouraged to report any incidents of workplace harassment (The workplace may wish to provide more information about how to report incidents and may wish to emphasize there will be no negative consequences for reports made in good faith).

Management will investigate and deal with all concerns, complaints, or incidents of workplace harassment in a fair and timely manner while respecting workers' privacy as much as possible (The workplace may wish to provide more information about how incidents of harassment will be investigated and/or dealt with).

Nothing in this policy prevents or discourages a worker from filing an application with the Human Rights Tribunal of Ontario on a matter related to Ontario's Human Rights Code within one year of the last alleged incident. A worker also retains the right to exercise any other legal avenues that may be available.

Signed: _____ President / CEO Date:_____

The workplace violence policy should be consulted whenever there are concerns about violence in the workplace.

Appendix D: Workplace Harassment Program

The following are examples of measures and procedures employers may wish to consider when developing a workplace harassment program. [Section 32.0.6]

Measures and procedures for workers to **report incidents of workplace harassment** to the employer or supervisor may include information about:

- how, when and to whom a worker should report incidents;
- forms or other reporting mechanisms;
- roles and responsibilities of employers, supervisors, workers and others in the incident reporting process.

Measures and procedures for how the employer will **investigate and deal with incidents and complaints** of workplace harassment may include information about:

- how and when investigations will be conducted;
- what will be included in the investigation;
- roles and responsibilities of employers, supervisors, workers and others;
- follow-up to the investigation (description of actions and timeframe);
- recordkeeping requirements.

An employer may wish to have a more extensive workplace harassment program, which could include workplace harassment awareness training or an Employee Assistance Program (EAP).

Appendix E: Ministry of Labour Health and Safety Contact Information

Many of the toll-free numbers listed below are accessible only within the area code of the relevant office.

CENTRAL REGION
Central Region includes Toronto and the following counties: Dufferin, Durham, Peel, Simcoe, and York.

Central Occupational Health and Safety Duty Desk
Tel: 416-314-5421 / 800-991-7454
Fax: 416-235-3972

EASTERN REGION
Eastern Region includes the following counties: Frontenac, Haliburton, Hastings, Lanark, Leeds & Grenville, Lennox & Addington, Muskoka, Northumberland, Ottawa-Carleton, Peterborough, Prescott & Russell, Prince Edward, Renfrew, Stormont Dundas & Glengarry and Victoria

Ottawa
347 Preston Street, 4th Flr
Ottawa K1S 3J4
Tel: 613-228-8050 / 800-267-1916
Fax: 613-727-2900

Kingston
51 Heakes Lane
Beechgrove Complex
Kingston K7M 9B1
Tel: 613-545-0989 / 800-267-0915
Fax: 613-545-9831

Peterborough
300 Water St N, 3rd Fl South Tower
Peterborough K9J 8M5
Tel: 705-755-4700 / 800-461-1425
Fax: 705-755-4724

NORTHERN REGION
Northern Region includes the following counties: Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay and Timiskaming

Sudbury
159 Cedar St, Ste 301
Sudbury P3E 6A5
Tel: 705-564-7400 / 800-461-6325
Fax 705-564-7437

North Bay
101 McIntyre Street West, 2nd Flr
North Bay P1B 2Y5
Tel: 705-497-5234 / 877-717-0778
Fax: 705-497-6850

Sault Ste. Marie
70 Foster Dr, Ste 480
Sault Ste Marie P6A 6V4
Tel: 705-945-6600 / 800-461-7268
Fax 705-949-9796

Thunder Bay
435 James St S, Ste 222
Thunder Bay P7E 6S7
Tel: 807-475-1691 / 800-465-5016
Fax 807-475-1646

Timmins
(mailing address)
P.O. Bag 3050
South Porcupine P0N 1H0
(office address)
Ontario Government Complex
D Wing Highway 101 E
Porcupine P0N 1C0
Tel: 705-235-1900 / 800-461-9847
Fax 705-235-1925

WESTERN REGION
Western Region includes the following counties: Brant, Bruce, Elgin, Essex, Grey, Haldimand-Norfolk, Halton, Hamilton-Wentworth, Huron, Kent, Lambton, Middlesex, Niagara, Oxford, Perth, Waterloo and Wellington

Western Occupational Health and Safety Call Centre
Tel: 905-577-9774 / 877-202-0008
Fax: 905-577-1316

NOTES

The above contact numbers are for reporting fatalities and critical injuries, work refusals, unsafe workplace complaints and joint health and safety committee disputes, as well as assistance with the application of the Occupational Health and Safety Act and its regulations, and referrals to other health and safety partners (Workplace Safety and Insurance Board, Health and Safety Associations, etc).

For health and safety emergencies outside of regular business hours, please contact the Spills Action Centre (SAC) toll-free at 1-800-268-6060 or 416-325-3000 in Toronto.

All calls for employment standards (i.e., hours or work, overtime, public holidays, vacation, leaves of absence, termination, etc.) should be directed to the Employment Standards Information Centre toll free at 1-800-531-5551 or at 416-326-7160 in Toronto

For more contact information, or if you're not sure what region you're in, please see "Employment", "Health and Safety" or "Labour" in the Blue Pages of your local telephone directory, or see the List of Regional Offices on the Ministry's website: at www.labour.gov.on.ca/english/about/reg_offices.php

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